

EXHIBIT 2

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**Lehman Brothers Holdings, Inc., et al.,
Debtors.**

Case No. 1:08-bk-13555 (SCC)

Chapter 11

Jointly Administered

AFFIDAVIT OF ALLEN PFEIFFER

September 28, 2015

I. Introduction

1. I, Allen Pfeiffer, have been asked by Alston & Bird LLP, Seward & Kissel LLP, Chapman and Cutler LLP, and Nixon Peabody LLP (“**Law Firms**”), counsel to Wilmington Trust, National Association; Wilmington Trust Company; Law Debenture Trust Company of New York; U.S. Bank, National Association; and Deutsche Bank National Trust Company (“**RMBS Trustees**” or “**Trustees**”) to provide an update regarding the number and types of RMBS Claims that the Trustees have submitted in accordance with the RMBS Protocol¹ and the types of responses that the Plan Administrator has provided to date. The facts and figures presented in this Declaration result from work performed by me and by my colleagues at Duff & Phelps, LLC (“**Duff & Phelps**” or “**D&P**”).
2. I am a Managing Director in the New York, NY and the Morristown, NJ offices of D&P. I am the Global Service Leader of Dispute Consulting – Complex Valuation and Bankruptcy Litigation. D&P is a leading financial advisory and investment banking firm offering an array of services in the areas of valuation, investment banking and transaction advice, and dispute consulting. I lead the team at D&P as financial advisor to the RMBS Trustees.
3. The facts and figures set forth in this Declaration are my own and are based on work that I performed, or on work performed by my colleagues at Duff & Phelps under my supervision. In those instances where tasks were performed by my colleagues, I reviewed their work and determined that it was appropriate to rely upon that work.

II. Facts and Figures Regarding RMBS Claims Submitted Thus Far

4. A representation and warranty that the subject loan was underwritten in accordance with the Originator’s underwriting guidelines was only found in Mortgage Loan Sale and Servicing Agreements for three trusts. Those trusts are BNC Mortgage Loan Trust 2007-3 (“BNCMT

¹ *Order Establishing A Protocol To Resolve Claims Filed By Trustees On Behalf Of Certain Issuers Of Residential Mortgage-Backed Securities* (ECF 47569). All terms that are not defined herein shall have the definition set forth in the RMBS Claims Protocol. All data and numerical information contained in this Supplemental Status Report is through September 10, 2015, unless otherwise indicated, and relates solely to Covered Loans.

2007-3”), BNC Mortgage Loan Trust 2007-4 (“BNCMT 2007-4”), and Structured Asset Securities Corporation Mortgage Loan trust 2007-BNC1 (“SAS 2007-BNC1”).

5. The Plan Administrator has asserted a defense for 2,308 RMBS Claims relating to mortgage loans in trusts where its rejection narrative contains the words “underwriting guidelines.” The rejection rationales involve breach findings in trusts that do not contain an “in accordance with Originator underwriting guideline” representation and warranty. I understand that Plan Administrator’s assertions of defense for these breach claims is that the loan would have still been underwritten based on its underwriting guidelines.
6. Of the RMBS Claims reviewed by the Plan Administrator, there were a total of 3,404 RMBS Claims submitted where the breaches were supported by *near year* evidence, for which the RMBS Trustees provided a claim against misrepresentation of income. 1,743 of these RMBS Claims are single-breach loans.
7. The Plan Administrator has rejected 6,415 RMBS Claims, for which the breaches were supported by *same year* evidence where the RMBS Trustees provided a claim against misrepresentation of income. There were a total of 6,830 RMBS Claims submitted where a *same year* misrepresentation of income was presented.
8. The Plan Administrator has also submitted 41 breach rejections where the rejection rationale contained the word “typographical error” as one basis for the rejection of the submitted RMBS Claims. These breaches represent 0.2% of the total number of RMBS Claims that the Plan Administrator has rejected. Additionally, 35 of these loans have other breach findings associated with the loan.
9. The Plan Administrator has rejected 2,464 breaches where the breach presented was a misrepresentation of occupancy. There were a total of 2,773 RMBS Claims submitted where a misrepresentation of occupancy was cited.

10. The table below provides the number of liquidated loans submitted as RMBS Claims, stratified by their reported loss amount.

	Liquidated Loans Responded to by the Plan Administrator	Liquidated Loans Submitted through June 30, 2015	Liquidated Loans Submitted through September 10, 2015
Losses \geq \$20,000	18,551	22,152	31,404
\$10,000 \leq Losses $<$ \$20,000	34	56	175
\$1,000 \leq Losses $<$ \$10,000	70	90	92
Losses $<$ \$1,000	57	58	59
	18,712	22,356	31,730

I declare under penalty of perjury that the foregoing is true and correct.



Allen Pfeiffer